



Attorney Docket No.: 43888-301

COMBINED DECLARATION/POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor(s), I (we) hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

FUEL CELL

_____, the specification of which

(check one)

_____ is attached hereto.

_____ was filed on _____ as

United States Application No. _____

_____ PCT International Patent Application No. _____

filed on _____

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

JP2003-108150

(Number)

Japan

(Country)

11 April, 2003

(Day/Month/Year Filed)

X Yes _____ No

(Number)

(Country)

(Day/Month/Year Filed)

____ Yes _____ No

(Number)

(Country)

(Day/Month/Year Filed)

____ Yes _____ No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Appln. Serial No.)

(Filing Date)

(Status-patented, pending, abandoned)

(Appln. Serial No.)

(Filing Date)

(Status-patented, pending, abandoned)

I hereby appoint as my attorneys, with full power of substitution and revocation, to prosecute the patent application identified above and to transact all business in the U.S. Patent and Trademark Office connected therewith: Edward A. Becker, Reg. No. 37,777; Stephen A. Becker, Reg. No. 26,527; Marcel K. Bingham, Reg. No. 42,327; John G. Bisbikis, Reg. No. 37,095; Daniel Bucca, Reg. No. 42,368; Kenneth L. Cage, Reg. No. 26,151; Stephen C. Carlson, Reg. No. 39,929; Tom A. Corrado, Reg. No. 42,439; Paul Devinsky, Reg. No. 28,553; Laura A. Donnelly, Reg. No. 38,435; Margaret M. Duncan, Reg. No. 30,879; Brian E. Ferguson, Reg. No. 36,801; Michael F. Fogarty, Reg. No. 36,139; Willem F. Gadiano, Reg. No. 37,136; Keith E. George, Reg. No. 34,111; John A. Hankins, Reg. No. 32,029; Brian D. Hickman, Reg. No. 35,894; Eric J. Kraus, Reg. No. 36,190; Patrick B. Law, Reg. No. 41,549; Robert E. LeBlanc, Reg. No. 17,219; Jack Q. Lever, Reg. No. 28,149; Raphael V. Lupo, Reg. No. 28,363; Christine F. Martin, Reg. No. 39,762; Michael A. Messina, Reg. No. 33,424; Eugene J. Molinelli, Reg. No. 42,901; Christopher J. Palermo, Reg. No. 42,056; Joseph H. Paquin, Jr., Reg. No. 31,647; Robert L. Price, Reg. No. 22,685; Gene Z. Robinson, Reg. No. 33,351; Joy Ann G. Serauskas, Reg. No. 27,952; David A. Spenard, Reg. No. 37,449; Arthur J. Steiner, Reg. No. 26,106; David L. Stewart, Reg. No. 37,578; Michael D. Switzer, Reg. No. 39,552; Leonid D. Thenor, Reg. No. 39,397; Keith J. Townsend, Reg. No. 40,358; Aaron Weisstuch, Reg. No. P41,557; Edward J. Wise, Reg. No. 34,523; Alexander V. Yampolsky, Reg. No. 36,324; and Robert W. Zelnick, Reg. No. 36,976 all of

Please address all correspondence and telephone calls to:

MCDERMOTT, WILL & EMERY
600 13th Street, N.W.
WASHINGTON, D.C. 20005-3096
Telephone: 202-756-8000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Yasuo TAKEBE

Inventor's signature Yasuo Takebe Date May 24, 2004

Residence Uji-shi, Kyoto Japan Citizenship Japanese

Post Office Address 16-2, Kohata-Higashinaka, Uji-shi, Kyoto 611-0002 Japan

Full name of second inventor Makoto UCHIDA

Inventor's signature Makoto Uchida Date May 24, 2004

Residence Hirakata-shi, Osaka Japan Citizenship Japanese

Post Office Address 16-2, Koganeno 2-chome, Hirakata-shi, Osaka 573-1145 Japan

Full name of third inventor Kazuhito HATOH

Inventor's signature Kazuhito Hatoh Date May 24, 2004

Residence Osaka-shi, Osaka Japan Citizenship Japanese

Post Office Address 2-7-2610, Shigita 1-chome, Joto-ku, Osaka-shi, Osaka 536-0015 Japan
